

EXHIBIT C

HOLM &
O'HARA
LLP

October 27, 2023

ATTORNEYS AT LAW

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NEW YORK, NY 10001

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Via Facsimile (845-853-1783) and Certified Mail

RRR # 7015 0640 0003 2924 6878

Orange Bank and Trust Company
212 Dolson Avenue
Middletown, NY 10940

Re: *Stephen Reich, et al. v. Casabella Landscaping, Inc. et al.*
21-CV-9327 (Krause, M.J.)

RESTRAINING NOTICE AND INFORMATION SUBPOENA
Our File No. 4754.022

CO-MANAGING PARTNERS

Michael L. Landsman

Carol G. Dell

OF COUNSEL

William P. Holm

RETIRED FOUNDING PARTNER

Vincent F. O'Hara

PARTNERS

Anthony T. Simari

Katherine M. Morgan

Steven E. Glass

SPECIAL COUNSEL

Joshua R. Bressler

ASSOCIATES

MaryAnne F. Santini

Brian Boming Zhai

Michal Mirski

Melissa K. Lee

Dear Sir or Madam:

Holm & O'Hara LLP represents the Plaintiffs-Judgment Creditors in the above-referenced action.

The Judgment Debtor in the above-referenced action is Casabella Landscaping, Inc. ("Casabella Landscaping"), with Federal ID Number 82-2968337. We have reason to believe that Casabella Landscaping has an account at Orange Bank and Trust Company.

Enclosed please find the following with respect to the Judgment Debtor, Casabella Landscaping: a) an original and a copy of the Restraining Notice to Orange Bank and Trust Company; b) an Exemption Notice; c) two (2) Exemption Claim Forms; d) an original and a copy of the Information Subpoena with regard to Casabella; e) an original and a copy of the Questions and Answers in connection with the Information Subpoena; and f) a self-addressed stamped envelope. **Please complete the original "Questions and Answers in Connection with the Information Subpoena" form for the above-listed Judgment Debtor** and return your responses to the questionnaire in the enclosed self-addressed stamped envelope within seven (7) days of receipt.

Thank you for your courtesy and cooperation in this matter.

Very truly yours,



Katherine M. Morgan

KMM/es
Enclosures

cc: Stephen Reich (via email w/o encls.)
Vincenza Quinlan (via email w/o encls.)

L:\VFO\LABORERS LOCAL 754\4754.022 - Casabella\Judgment Enforcement\Restraining Notices\Letterhead.docx

UNITED STATES DISTRICT COURT for the
SOUTHERN DISTRICT OF NEW YORK

STEPHEN REICH, in his fiduciary capacity as a Trustee
for the LABORERS LOCAL 754 WELFARE FUND,
PENSION FUND, SAVINGS FUND, ANNUITY FUND,
INDUSTRY ADVANCEMENT FUND, NY HEALTH
AND SAFETY FUND OF NORTH AMERICA, NYS
LECET FUND, NYSLPA FUND, LABORERS'
TRAINING FUND, 754 LABOR MANAGEMENT
COMMITTEE, and 754/CONTRACTORS ORGANIZING
& DEVELOPMENT FUND; and STEPHEN REICH as
the Business Manager of the LABORERS LOCAL
UNION 754,

Plaintiffs,

- against -

CASABELLA LANDSCAPING, INC,

Defendant.

**RESTRAINING NOTICE
TO ORANGE BANK AND
TRUST COMPANY**

RE:

Casabella Landscaping, Inc.
Judgment Debtor

Address:
182 Lindsay Avenue
Buchanan, NY 10511 *and*
1022 Lower South Street
Peekskill, NY 10566

21-CV-9327

(Krause, M.J.)

To: Orange Bank and Trust Company
Address: 212 Dolson Avenue
Middletown, NY 10940

Whereas, in an action in the UNITED STATES DISTRICT COURT for the SOUTHERN DISTRICT OF NEW YORK between STEPHEN REICH, in his fiduciary capacity as a Trustee for the LABORERS LOCAL 754 WELFARE FUND, PENSION FUND, SAVINGS FUND, ANNUITY FUND, INDUSTRY ADVANCEMENT FUND, NY HEALTH AND SAFETY FUND OF NORTH AMERICA, NYS LECET FUND, NYSLPA FUND, LABORERS' TRAINING FUND, 754 LABOR MANAGEMENT COMMITTEE, and 754/CONTRACTORS ORGANIZING & DEVELOPMENT FUND; and STEPHEN REICH as the Business Manager of the LABORERS LOCAL UNION 754, as Plaintiffs, and CASABELLA LANDSCAPING, INC., as Defendant, who are the parties named in said action, a judgment was entered on August 29, 2023 in favor of STEPHEN REICH, in his fiduciary capacity as a Trustee for the LABORERS LOCAL 754 WELFARE FUND, PENSION FUND, SAVINGS FUND, ANNUITY FUND, INDUSTRY ADVANCEMENT FUND, NY HEALTH AND SAFETY FUND OF NORTH AMERICA, NYS LECET FUND, NYSLPA FUND, LABORERS' TRAINING FUND, 754 LABOR MANAGEMENT COMMITTEE, and 754/CONTRACTORS ORGANIZING & DEVELOPMENT FUND;

and STEPHEN REICH as the Business Manager of the LABORERS LOCAL UNION 754, judgment creditors, and against CASABELLA LANDSCAPING, INC., judgment debtor, in the amount of \$252,695.58, remains due and unpaid;

Whereas, it appears that you owe a debt to the judgment debtors or are in possession or in custody of property in which the judgment debtors have an interest (ANY AND ALL SAVINGS, CHECKING, CD ACCOUNTS, SAFE DEPOSIT BOXES, OR ANY OTHER PROPERTY OF THE ABOVE-NAMED JUDGMENT DEBTOR);

TAKE NOTICE that pursuant to Rule 69 of Fed. R. Civ. Pro. and subdivision (b) of Section 5222 of the Civil Practice Law and Rules, which is set forth in full herein, you are hereby forbidden to make or suffer any sale, assignment or transfer of, or any interference with, any such property or pay over or otherwise dispose of any such debt except as therein provided.

TAKE FURTHER NOTICE that this notice also covers all property in which the judgment debtor has an interest hereafter coming into your possession or custody, and all debts hereafter coming due from you to the judgment debtors.

CIVIL PRACTICE LAW AND RULES


Section 5222 (b) Effect of restraint; prohibition of transfer; duration. A judgment debtor served with a restraining notice is forbidden to make or suffer any sale, assignment, transfer or interference with any property in which he has an interest, except upon direction of the sheriff or pursuant to an order of the court, until the judgment is satisfied or vacated. A restraining notice served upon a person other than the judgment debtor is effective only if, at the time of service, he owes a debt to the judgment debtor or he is in the possession or custody of property in which he knows or has reason to believe the judgment debtor has an interest, or if the judgment creditor has stated in the notice that a specified debt is owed by the person served to the judgment debtor or that the judgment debtor has an interest in specified property in the possession or custody of the person served. All property in which the judgment debtor is known or believed to have an interest then in and thereafter coming into the possession or custody of such a person, including any specified in the notice, and all debts of such a person, including any specified in the notice, then due and thereafter coming due to the judgment debtor, shall be subject to the notice. Such a person is forbidden to make or suffer any sale, assignment or transfer of, or any interference with, any such property, or pay over or otherwise dispose of any such debt, to any person other than the sheriff, except upon direction of the sheriff or pursuant to an order of the court, until the expiration of one year after the notice is served upon him, or until the judgment is satisfied or vacated, whichever event first occurs. A judgment creditor who has specified personal property or debt in a restraining notice shall be liable to the owner of the property or the person to whom the debt is owed, if other than the judgment debtor, for any damages sustained by reason of the restraint. If a garnishee served with a restraining notice withholds the payment of money belonging or owed to the judgment debtor in an amount equal to twice the amount due on the judgment, the restraining notice is not effective as to other property or money.

TAKE FURTHER NOTICE that disobedience of this Restraining Notice is punishable as a contempt of court.

Dated: October 27, 2023

Attorney for Judgment Creditors:

Office and Post Office Address:


.....
Katherine M. Morgan
Holm & O'Hara LLP
3 West 35th Street, 9th Floor
New York, NY 10001

UNITED STATES DISTRICT COURT for the
SOUTHERN DISTRICT OF NEW YORK

STEPHEN REICH, in his fiduciary capacity as a Trustee :
for the LABORERS LOCAL 754 WELFARE FUND, :
PENSION FUND, SAVINGS FUND, ANNUITY FUND, : **RESTRAINING NOTICE**
INDUSTRY ADVANCEMENT FUND, NY HEALTH : **TO ORANGE BANK AND**
AND SAFETY FUND OF NORTH AMERICA, NYS : **TRUST COMPANY**
LECET FUND, NYSLPA FUND, LABORERS' :
TRAINING FUND, 754 LABOR MANAGEMENT : RE:
COMMITTEE, and 754/CONTRACTORS ORGANIZING :
& DEVELOPMENT FUND; and STEPHEN REICH as : Casabella Landscaping, Inc.
the Business Manager of the LABORERS LOCAL : **Judgment Debtor**
UNION 754, :
:
:
Plaintiffs, :
:
- against - :
:
CASABELLA LANDSCAPING, INC, :
:
:
Defendant. :
:
:
(Krause, M.J.)

To: Orange Bank and Trust Company
Address: 212 Dolson Avenue
Middletown, NY 10940

Whereas, in an action in the UNITED STATES DISTRICT COURT for the SOUTHERN DISTRICT OF NEW YORK between STEPHEN REICH, in his fiduciary capacity as a Trustee for the LABORERS LOCAL 754 WELFARE FUND, PENSION FUND, SAVINGS FUND, ANNUITY FUND, INDUSTRY ADVANCEMENT FUND, NY HEALTH AND SAFETY FUND OF NORTH AMERICA, NYS LECET FUND, NYSLPA FUND, LABORERS' TRAINING FUND, 754 LABOR MANAGEMENT COMMITTEE, and 754/CONTRACTORS ORGANIZING & DEVELOPMENT FUND; and STEPHEN REICH as the Business Manager of the LABORERS LOCAL UNION 754, as Plaintiffs, and CASABELLA LANDSCAPING, INC., as Defendant, who are the parties named in said action, a judgment was entered on August 29, 2023 in favor of STEPHEN REICH, in his fiduciary capacity as a Trustee for the LABORERS LOCAL 754 WELFARE FUND, PENSION FUND, SAVINGS FUND, ANNUITY FUND, INDUSTRY ADVANCEMENT FUND, NY HEALTH AND SAFETY FUND OF NORTH AMERICA, NYS LECET FUND, NYSLPA FUND, LABORERS' TRAINING FUND, 754 LABOR MANAGEMENT COMMITTEE, and 754/CONTRACTORS ORGANIZING & DEVELOPMENT FUND;

and STEPHEN REICH as the Business Manager of the LABORERS LOCAL UNION 754, judgment creditors, and against CASABELLA LANDSCAPING, INC., judgment debtor, in the amount of \$252,695.58, remains due and unpaid;

Whereas, it appears that you owe a debt to the judgment debtors or are in possession or in custody of property in which the judgment debtors have an interest (ANY AND ALL SAVINGS, CHECKING, CD ACCOUNTS, SAFE DEPOSIT BOXES, OR ANY OTHER PROPERTY OF THE ABOVE-NAMED JUDGMENT DEBTOR);

TAKE NOTICE that pursuant to Rule 69 of Fed. R. Civ. Pro. and subdivision (b) of Section 5222 of the Civil Practice Law and Rules, which is set forth in full herein, you are hereby forbidden to make or suffer any sale, assignment or transfer of, or any interference with, any such property or pay over or otherwise dispose of any such debt except as therein provided.

TAKE FURTHER NOTICE that this notice also covers all property in which the judgment debtor has an interest hereafter coming into your possession or custody, and all debts hereafter coming due from you to the judgment debtors.

CIVIL PRACTICE LAW AND RULES


Section 5222 (b) Effect of restraint; prohibition of transfer; duration. A judgment debtor served with a restraining notice is forbidden to make or suffer any sale, assignment, transfer or interference with any property in which he has an interest, except upon direction of the sheriff or pursuant to an order of the court, until the judgment is satisfied or vacated. A restraining notice served upon a person other than the judgment debtor is effective only if, at the time of service, he owes a debt to the judgment debtor or he is in the possession or custody of property in which he knows or has reason to believe the judgment debtor has an interest, or if the judgment creditor has stated in the notice that a specified debt is owed by the person served to the judgment debtor or that the judgment debtor has an interest in specified property in the possession or custody of the person served. All property in which the judgment debtor is known or believed to have an interest then in and thereafter coming into the possession or custody of such a person, including any specified in the notice, and all debts of such a person, including any specified in the notice, then due and thereafter coming due to the judgment debtor, shall be subject to the notice. Such a person is forbidden to make or suffer any sale, assignment or transfer of, or any interference with, any such property, or pay over or otherwise dispose of any such debt, to any person other than the sheriff, except upon direction of the sheriff or pursuant to an order of the court, until the expiration of one year after the notice is served upon him, or until the judgment is satisfied or vacated, whichever event first occurs. A judgment creditor who has specified personal property or debt in a restraining notice shall be liable to the owner of the property or the person to whom the debt is owed, if other than the judgment debtor, for any damages sustained by reason of the restraint. If a garnishee served with a restraining notice withholds the payment of money belonging or owed to the judgment debtor in an amount equal to twice the amount due on the judgment, the restraining notice is not effective as to other property or money.

TAKE FURTHER NOTICE that disobedience of this Restraining Notice is punishable as a contempt of court.

Dated: October 27, 2023

Attorney for Judgment Creditors:

Office and Post Office Address:


.....
Katherine M. Morgan
Holm & O'Hara LLP
3 West 35th Street, 9th Floor
New York, NY 10001

EXEMPTION NOTICE

as required by New York Law

YOUR BANK ACCOUNT IS RESTRAINED OR “FROZEN”

The attached Restraining Notice or notice of Levy by Execution has been issued against your bank account. You are receiving this notice because a creditor has obtained a money judgment against you, and one or more of your bank accounts has been restrained to pay the judgment. A money judgment is a court’s decision that you owe money to a creditor. You should be aware that FUTURE DEPOSITS into your account(s) might also be restrained if you do not respond to this notice.

You may be able to “vacate” (remove) the judgment. If the judgment is vacated, your bank account will be released. Consult an attorney (including free legal services) or visit the court clerk for more information about how to do this.

Under state and federal law, certain types of funds cannot be taken from your bank account to pay a judgment. Such money is said to be “exempt.”

DOES YOUR BANK ACCOUNT CONTAIN ANY OF THE FOLLOWING TYPES OF FUNDS?

1. Social security;
2. Social security disability (SSD);
3. Supplemental security income (SSI);
4. Public assistance (welfare);
5. Income earned while receiving SSI or public assistance;
6. Veterans benefits;
7. Unemployment insurance;
8. Payments from pensions and retirement accounts;
9. Disability benefits;
10. Income earned in the last 60 days (90% of which is exempt);
11. Workers’ compensation benefits;
12. Child support;
13. Spousal support or maintenance (alimony);
14. Railroad retirement; and/or
15. Black lung benefits.

If YES, you can claim that your money is exempt and cannot be taken. To make the claim, you must

- (a) complete the EXEMPTION CLAIM FORM attached;
- (b) deliver or mail the form to the bank with the restrained or “frozen” account; and
- (c) deliver or mail the form to the creditor or its attorney at the address listed on the form.

You must send the forms within 20 DAYS of the postmarked date on the envelope holding this notice. You may be able to get your account released faster if you send to the creditor or its attorney written proof that your money is exempt. Proof can include an award letter from the government, an annual statement from your pension, pay stubs, copies of checks, bank records showing the last two months of account activity, or other papers showing that the money in your bank account is exempt. If you send the creditor's attorney proof that the money in your account is exempt, the attorney must release that money within seven days. You do not need an attorney to make an exemption claim using the form.

Directions: To claim that some or all of the funds in your account are exempt, complete both copies of this form, and make one copy for yourself. Mail or deliver one form to Katherine M. Morgan, Esq., Holm & O'Hara LLP, 3 West 35th Street, 9th Floor, New York, NY 10001 and one form to Orange Bank and Trust Company, 212 Dolson Avenue, Middletown, NY 10940, within twenty days of the date on the envelope holding this notice. ****If you have any documents, such as an award letter, an annual statement from your pension, paystubs, copies of checks or bank records showing the last two months of account activity, include copies of the documents with this form. Your account may be released more quickly.**

I state that my account contains the following type(s) of funds (check all that apply):

- ☐ Social security
- ☐ Social security disability (SSD)
- ☐ Supplemental security income (SSI)
- ☐ Public assistance
- ☐ Wages while receiving SSI or public assistance
- ☐ Veterans benefits
- ☐ Unemployment insurance
- ☐ Payments from pensions and retirement accounts
- ☐ Income earned in the last 60 days (90% of which is exempt)
- ☐ Child support
- ☐ Spousal support or maintenance (alimony)
- ☐ Workers' compensation
- ☐ Railroad retirement or black lung benefits
- ☐ Other (describe exemption): _____

I request that any correspondence to me regarding my claim be sent to the following address:

(FILL IN YOUR COMPLETE ADDRESS)

I certify under penalty of perjury that the statement above is true to the best of my knowledge and belief.

DATE

SIGNATURE OF JUDGMENT DEBTOR

Directions: To claim that some or all of the funds in your account are exempt, complete both copies of this form, and make one copy for yourself. Mail or deliver one form to Katherine M. Morgan, Esq., Holm & O'Hara LLP, 3 West 35th Street, 9th Floor, New York, NY 10001 and one form to Orange Bank and Trust Company, 212 Dolson Avenue, Middletown, NY 10940, within twenty days of the date on the envelope holding this notice. ****If you have any documents, such as an award letter, an annual statement from your pension, paystubs, copies of checks or bank records showing the last two months of account activity, include copies of the documents with this form. Your account may be released more quickly.**

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DATE

SIGNATURE OF JUDGMENT DEBTOR

UNITED STATES DISTRICT COURT for the
SOUTHERN DISTRICT OF NEW YORK

-----X
STEPHEN REICH, in his fiduciary capacity as a Trustee :
for the LABORERS LOCAL 754 WELFARE FUND, :
PENSION FUND, SAVINGS FUND, ANNUITY FUND, :
INDUSTRY ADVANCEMENT FUND, NY HEALTH : **INFORMATION SUBPOENA**
AND SAFETY FUND OF NORTH AMERICA, NYS :
LECET FUND, NYSLPA FUND, LABORERS' : RE:
TRAINING FUND, 754 LABOR MANAGEMENT :
COMMITTEE, and 754/CONTRACTORS ORGANIZING : Casabella Landscaping, Inc.
& DEVELOPMENT FUND; and STEPHEN REICH as : **Judgment Debtor**
the Business Manager of the LABORERS LOCAL :
UNION 754, : Address:
: 182 Lindsay Avenue
Plaintiffs, : Buchanan, NY 10511 *and*
: 1022 Lower South Street
- against - : Peekskill, NY 10566
:
CASABELLA LANDSCAPING, INC, : 21-CV-9327
:
Defendant. : (Krause, M.J.)
:
-----X

To: Orange Bank and Trust Company
Address: 212 Dolson Avenue
Middletown, NY 10940

GREETING:

Whereas, in an action in the UNITED STATES DISTRICT COURT for the SOUTHERN DISTRICT OF NEW YORK between STEPHEN REICH, in his fiduciary capacity as a Trustee for the LABORERS LOCAL 754 WELFARE FUND, PENSION FUND, SAVINGS FUND, ANNUITY FUND, INDUSTRY ADVANCEMENT FUND, NY HEALTH AND SAFETY FUND OF NORTH AMERICA, NYS LECET FUND, NYSLPA FUND, LABORERS' TRAINING FUND, 754 LABOR MANAGEMENT COMMITTEE, and 754/CONTRACTORS ORGANIZING & DEVELOPMENT FUND; and STEPHEN REICH as the Business Manager of the LABORERS LOCAL UNION 754, as Plaintiffs, and CASABELLA LANDSCAPING, INC., as Defendant, who are the parties named in said action, a judgment was entered on August 29, 2023 in favor of STEPHEN REICH, in his fiduciary capacity as a Trustee for the LABORERS LOCAL 754 WELFARE FUND, PENSION FUND, SAVINGS FUND, ANNUITY FUND, INDUSTRY ADVANCEMENT FUND, NY HEALTH AND SAFETY FUND OF NORTH AMERICA, NYS LECET FUND, NYSLPA FUND, LABORERS' TRAINING FUND, 754 LABOR MANAGEMENT COMMITTEE, and 754/CONTRACTORS ORGANIZING & DEVELOPMENT FUND; and STEPHEN REICH as the Business Manager of the LABORERS LOCAL UNION 754, judgment creditors, and against CASABELLA

LANDSCAPING, INC., judgment debtor, in the amount of \$252,695.58, remains due and unpaid;

Whereas, the person to whom this subpoena is directed, resides, is regularly employed, and has an office for the regular transaction of business in person, in the State of New York;


NOW, THEREFORE WE COMMAND YOU, that you answer in writing under oath, separately and fully, each question in the questionnaire accompanying this subpoena, each answer referring to the question to which it responds; and that you return the answers together with the original of the questions within 7 days after your receipt of the questions and this subpoena.

TAKE NOTICE that false swearing or failure to comply with this subpoena is punishable as a contempt of court.

I HEREBY CERTIFY THAT THIS INFORMATION SUBPOENA COMPLIES WITH RULE 5224 OF THE CIVIL PRACTICE LAW AND RULES AND SECTION 601 OF THE GENERAL BUSINESS LAW THAT I HAVE A REASONABLE BELIEF THAT THE PARTY RECEIVING THIS SUBPOENA HAS IN THEIR POSSESSION INFORMATION ABOUT THE DEBTOR THAT WILL ASSIST THE CREDITOR IN COLLECTING THE JUDGMENT.

Dated: October 27, 2023

Attorney for Judgment Creditors:
Office and Post Office Address:
Enclosed: Question form; original and copy
Prepaid, addressed return envelope


.....
Katherine M. Morgan
Holm & O'Hara LLP
3 West 35th Street, 9th Floor
New York, NY 10001

UNITED STATES DISTRICT COURT for the
SOUTHERN DISTRICT OF NEW YORK

X
STEPHEN REICH, in his fiduciary capacity as a Trustee :
for the LABORERS LOCAL 754 WELFARE FUND, :
PENSION FUND, SAVINGS FUND, ANNUITY FUND, :
INDUSTRY ADVANCEMENT FUND, NY HEALTH : **INFORMATION SUBPOENA**
AND SAFETY FUND OF NORTH AMERICA, NYS :
LECET FUND, NYSLPA FUND, LABORERS' : RE:
TRAINING FUND, 754 LABOR MANAGEMENT : Casabella Landscaping, Inc.
COMMITTEE, and 754/CONTRACTORS ORGANIZING : **Judgment Debtor**
& DEVELOPMENT FUND; and STEPHEN REICH as :
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UNION 754, : Address:
: 182 Lindsay Avenue
Plaintiffs, : Buchanan, NY 10511 *and*
: 1022 Lower South Street
- against - : Peekskill, NY 10566
: CASABELLA LANDSCAPING, INC., : 21-CV-9327
Defendant. : (Krause, M.J.)
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To: Orange Bank and Trust Company
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Middletown, NY 10940

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LANDSCAPING, INC., judgment debtor, in the amount of \$252,695.58, remains due and unpaid;

Whereas, the person to whom this subpoena is directed, resides, is regularly employed, and has an office for the regular transaction of business in person, in the State of New York;


NOW, THEREFORE WE COMMAND YOU, that you answer in writing under oath, separately and fully, each question in the questionnaire accompanying this subpoena, each answer referring to the question to which it responds; and that you return the answers together with the original of the questions within 7 days after your receipt of the questions and this subpoena.

TAKE NOTICE that false swearing or failure to comply with this subpoena is punishable as a contempt of court.

I HEREBY CERTIFY THAT THIS INFORMATION SUBPOENA COMPLIES WITH RULE 5224 OF THE CIVIL PRACTICE LAW AND RULES AND SECTION 601 OF THE GENERAL BUSINESS LAW THAT I HAVE A REASONABLE BELIEF THAT THE PARTY RECEIVING THIS SUBPOENA HAS IN THEIR POSSESSION INFORMATION ABOUT THE DEBTOR THAT WILL ASSIST THE CREDITOR IN COLLECTING THE JUDGMENT.

Dated: October 27, 2023

Attorney for Judgment Creditors:
Office and Post Office Address:
Enclosed: Question form; original and copy
Prepaid, addressed return envelope


.....
Katherine M. Morgan
Holm & O'Hara LLP
3 West 35th Street, 9th Floor
New York, NY 10001

UNITED STATES DISTRICT COURT for the
SOUTHERN DISTRICT OF NEW YORK

STEPHEN REICH, in his fiduciary capacity as a Trustee :
for the LABORERS LOCAL 754 WELFARE FUND, : **QUESTIONS AND ANSWERS**
PENSION FUND, SAVINGS FUND, ANNUITY FUND, : **IN CONNECTION WITH**
INDUSTRY ADVANCEMENT FUND, NY HEALTH : **INFORMATION SUBPOENA**
AND SAFETY FUND OF NORTH AMERICA, NYS :
LECET FUND, NYSLPA FUND, LABORERS' : RE:
TRAINING FUND, 754 LABOR MANAGEMENT :
COMMITTEE, and 754/CONTRACTORS ORGANIZING : Casabella Landscaping, Inc.
& DEVELOPMENT FUND; and STEPHEN REICH as : **Judgment Debtor**
the Business Manager of the LABORERS LOCAL :
UNION 754, : Address:
: 182 Lindsay Avenue
Plaintiffs, : Buchanan, NY 10511 *and*
: 1022 Lower South Street
- against - : Peekskill, NY 10566
:
CASABELLA LANDSCAPING, INC, : 21-CV-9327
:
Defendant. : (Krause, M.J.)

To: Orange Bank and Trust Company
Address: 212 Dolson Avenue
Middletown, NY 10940

**UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK**

..... being duly sworn deposes and says; that deponent is the * of **Orange Bank and Trust Company**, recipient of an information subpoena herein and of the original and a copy of questions accompanying said subpoena. The answers set forth below are made from information obtained from the records of the recipient.

(*Excerpt from N.Y.C.P.L.R. Section 5224 (a) 3. “. Answers shall be made in writing under oath by the person upon whom served, if an individual, or by an officer, director, agent or employee having information, if a corporation, partnership or sole proprietorship. Each question shall be answered separately and fully and each answer shall refer to the question to which it responds. Answers shall be returned together with the original of the questions within seven days after receipt.)

Q. No. 1 Do you have a record of any accounts in which the judgment debtor may have an interest, whether under the name of the debtor, under a trade or corporate name, or in association with others, as of the date of the subpoena and within 5 years prior thereto?

A. No. 1

Q. No. 2 As to each such account, what is the exact title of the account, the date opened, amounts presently on deposit; if closed, the amount on deposit when closed and the date closed?

A. No. 2 Title Date Opened Amount on Deposit Date Closed

Q. No. 3 As to each such account, who are the signatories on the account?

Q. No. 4 Do you have a record of any safe deposit box in which the judgment debtor may have an interest, whether under the name of the debtor, under a trade or corporate name, or in association with others, as of the date of the subpoenas or within 1 year prior thereto?

A. No. 4

Q. No. 5 As to each such box what is the exact designation of the lessees thereof, the date hired, the date discontinued, the names of those having access?

A. No. 5 Lessees Date Hired Date Discontinued Those Having Access

Q. No. 6 Do you hold collateral in which the debtor has or may have an interest?

A. No. 6

Q. No. 7 What is the description and value of each item of collateral?

A. No. 7 Description Value

Q. No. 8 What interest does the debtor appear to have in each item of collateral?

A. No. 8

Q. No. 9 Is the judgment debtor indebted to you?

A. No. 9

Q. No. 10 As to each indebtedness, what is the amount of the original indebtedness, the date incurred, amount repaid and date of such repayment?

A. No. 10	<u>Amount</u>	<u>Date Incurred</u>	<u>Amount Repaid</u>	<u>Date Repaid</u>
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Q. No. 11 Do you hold any lien, mortgage or otherwise, against property of the debtor?

A. No. 11

Q. No. 12 Does the Department of Finance hold any lien, mortgage or otherwise, against property of the debtor?

A. No. 12

Q. No. 13 What is the nature of each such lien, the full description of the property affected by the lien, the location and identity of the office of the filing or recording and full indexing information?

A. No. 13	<u>Lien</u>	<u>Property</u>	<u>Where Recorded or Filed</u>	<u>Book and Page No.</u> <u>Asserted by</u>
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Q. No. 14 Are any of the assets of the debtor, in your possession or care, subject to liens, attachments or other encumbrances?

A. No. 14

Q. No. 15 What are the full details of the same in regard to each asset?

A. No. 15

Q. No. 16 Has the debtor given you a statement of its/his financial condition?

A. No. 16

Q. No. 17 What assets are disclosed therein (or in the alternative supply a copy thereof)?

A. No. 17

To: Orange Bank and Trust Company
Address: 212 Dolson Avenue
Middletown, NY 10940

Sworn to me before this ____ day of _____ 2023.

.....
Notary Public

.....
Signature of individual submitting answers

.....
Print name


.....
Address

.....
Telephone number

.....
Title

Dated: October 27, 2023

Attorney for Judgment Creditors:
Office and Post Office Address:


.....
Katherine M. Morgan
Holm & O'Hara LLP
3 West 35th Street, 9th Floor
New York, NY 10001

UNITED STATES DISTRICT COURT for the
SOUTHERN DISTRICT OF NEW YORK

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STEPHEN REICH, in his fiduciary capacity as a Trustee	:	
for the LABORERS LOCAL 754 WELFARE FUND,	:	QUESTIONS AND ANSWERS
PENSION FUND, SAVINGS FUND, ANNUITY FUND,	:	IN CONNECTION WITH
INDUSTRY ADVANCEMENT FUND, NY HEALTH	:	<u>INFORMATION SUBPOENA</u>
AND SAFETY FUND OF NORTH AMERICA, NYS	:	
LECET FUND, NYSLPA FUND, LABORERS'	:	RE:
TRAINING FUND, 754 LABOR MANAGEMENT	:	
COMMITTEE, and 754/CONTRACTORS ORGANIZING	:	Casabella Landscaping, Inc.
& DEVELOPMENT FUND; and STEPHEN REICH as	:	Judgment Debtor
the Business Manager of the LABORERS LOCAL	:	
UNION 754,	:	Address:
	:	182 Lindsay Avenue
Plaintiffs,	:	Buchanan, NY 10511 <i>and</i>
	:	1022 Lower South Street
- against -	:	Peekskill, NY 10566
	:	
CASABELLA LANDSCAPING, INC,	:	21-CV-9327
	:	
Defendant.	:	(Krause, M.J.)
	:	

-----X

To: Orange Bank and Trust Company
Address: 212 Dolson Avenue
Middletown, NY 10940

**UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK**

..... being duly sworn deposes and says; that deponent is the *of **Orange Bank and Trust Company**, recipient of an information subpoena herein and of the original and a copy of questions accompanying said subpoena. The answers set forth below are made from information obtained from the records of the recipient.

(*Excerpt from N.Y.C.P.L.R. Section 5224 (a) 3. “. Answers shall be made in writing under oath by the person upon whom served, if an individual, or by an officer, director, agent or employee having information, if a corporation, partnership or sole proprietorship. Each question shall be answered separately and fully and each answer shall refer to the question to which it responds. Answers shall be returned together with the original of the questions within seven days after receipt.)

Q. No. 1 Do you have a record of any accounts in which the judgment debtor may have an interest, whether under the name of the debtor, under a trade or corporate name, or in association with others, as of the date of the subpoena and within 5 years prior thereto?

A. No. 1

Q. No. 2 As to each such account, what is the exact title of the account, the date opened, amounts presently on deposit; if closed, the amount on deposit when closed and the date closed?

A. No. 2	<u>Title</u>	<u>Date Opened</u>	<u>Amount on Deposit</u>	<u>Date Closed</u>
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Q. No. 3 As to each such account, who are the signatories on the account?

Q. No. 4 Do you have a record of any safe deposit box in which the judgment debtor may have an interest, whether under the name of the debtor, under a trade or corporate name, or in association with others, as of the date of the subpoenas or within 1 year prior thereto?

A. No. 4

Q. No. 5 As to each such box what is the exact designation of the lessees thereof, the date hired, the date discontinued, the names of those having access?

A. No. 5	<u>Lessees</u>	<u>Date Hired</u>	<u>Date Discontinued</u>	<u>Those Having Access</u>
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Q. No. 6 Do you hold collateral in which the debtor has or may have an interest?

A. No. 6

Q. No. 7 What is the description and value of each item of collateral?

A. No. 7	<u>Description</u>	<u>Value</u>
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Q. No. 8 What interest does the debtor appear to have in each item of collateral?

A. No. 8

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A. No. 9

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A. No. 11

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Q. No. 13 What is the nature of each such lien, the full description of the property affected by the lien, the location and identity of the office of the filing or recording and full indexing information?

A. No. 13	<u>Lien</u>	<u>Property</u>	<u>Where Recorded or Filed</u>	<u>Book and Page No.</u> <u>Asserted by</u>
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A. No. 16

Q. No. 17 What assets are disclosed therein (or in the alternative supply a copy thereof)?

A. No. 17

To: Orange Bank and Trust Company
Address: 212 Dolson Avenue
Middletown, NY 10940

Sworn to me before this ____ day of _____ 2023.

.....
Notary Public

.....
Signature of individual submitting answers

.....
Print name


.....
Address

.....
Telephone number

.....
Title

Dated: October 27, 2023

Attorney for Judgment Creditors:
Office and Post Office Address:


.....
Katherine M. Morgan
Holm & O'Hara LLP
3 West 35th Street, 9th Floor
New York, NY 10001